

Cory Spencer, etc., et al. v. Lunada Bay Boys, etc., et al.

Case No. 2:16-cv-02129-SJO-RAO

Exhibit 2

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CORY SPENCER, an individual; DIANA)
MILENA REED, an individual; and)
COASTAL PROTECTION RANGERS, INC., a)
California non-profit public benefit)
corporation,) Case No.
) 2:16-cv-02129-SJO-RAO
Plaintiffs,)
)
vs.)
)
LUNADA BAY BOYS, et al.,)
)
Defendants.)
_____)

VIDEOTAPED DEPOSITION OF DIANA MILENA REED

VOLUME II

Santa Monica, California

Tuesday, October 25, 2016

REPORTED BY:

Jimmy S. Rodriguez

CSR No. 13464

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California non-profit public benefit)
corporation,) Case No.
2:16-cv-02129-SJO-RAO
Plaintiffs,)
vs.)
LUNADA BAY BOYS, et al.,)
Defendants.)

Videotaped deposition of DIANA MILENA REED, Volume II,
taken before Jimmy Rodriguez, a Certified Shorthand
Reporter for the State of California, with principal
office in the County of Orange, commencing at 9:24 a.m.,
Tuesday, October 25, 2016 at Premier Business Centers -
The Water Garden, 2425 Olympic Boulevard, Suite 4000,
Santa Monica, California.

1 APPEARANCES OF COUNSEL (Continued):
2 FOR DEFENDANT, Michael Ray Papayans:

3 HAVEN LAW

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7
8 Also Present:

9 JAMES KORALEK, Videographer
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1 BY MS. LUTZ: 13:59

2 Q But you don't recall it as you sit here 13:59

3 today? 13:59

4 A Yes, I'm not -- I'm not exactly sure. 13:59

5 MS. LUTZ: Thank you, no further 13:59

6 questions. 13:59

7 13:59

8 EXAMINATION 13:59

9 BY MR. HAVEN: 13:59

10 Q Hello. 13:59

11 A Hello. 13:59

12 Q May name is Peter Haven, I represent 13:59

13 Michael Papayans. 14:00

14 Do you know who Michael Papayans is? 14:00

15 A I know about him through what I've heard 14:00

16 from the surf community and what I've read about in 14:00

17 the media. And videos that I've seen of him from 14:00

18 Chris Taloa and that are in the media. 14:00

19 Q And what videos have you seen from 14:00

20 Chris Taloa? 14:00

21 A I've seen videos of him harassing 14:00

22 Chris Taloa on the bluff and yelling insults, I 14:00

23 think I've also seen him harassing him in the water. 14:00

24 Q How many videos have you seen? 14:00

25 A Directly related to him? 14:00

1 Q To Michael Papayans, yes. 14:00

2 A I couldn't really tell you. Between maybe 14:00

3 two and three videos. 14:00

4 Q And these are videos that Chris Taloa 14:00

5 showed you? 14:00

6 A That he took, yes. 14:00

7 Q To your knowledge, does Chris Taloa still 14:00

8 have those videos? 14:00

9 A I don't know if he still has them, I would 14:00

10 assume he does. 14:01

11 Q When did you see these videos? 14:01

12 A It's hard for me to pinpoint an exact 14:01

13 time. I think -- yeah, I can't tell you, I'm sorry, 14:01

14 I don't know when I saw them. 14:01

15 Q Do you know if you saw the videos before 14:01

16 your first visit to Lunada Bay or after? 14:01

17 A No, I know it was after. 14:01

18 Q Okay. Now, so you do -- you are able to 14:01

19 sort of put a face to the name of Michael Papayans, 14:01

20 it's your understanding of what he looks like based 14:01

21 on these videos; is that correct? 14:01

22 A That's correct, yes. 14:01

23 Q Do you know if you have ever personally 14:01

24 seen Michael Papayans at Lunada Bay when you were 14:01

25 there? 14:01

1 A I don't remember personally seeing him 14:01
2 myself. 14:01

3 Q To your knowledge, did he have any 14:01
4 involvement with any of the incidents that you've 14:01
5 described that you experienced at Lunada Bay? 14:01

6 MR. FRANKLIN: Vague, ambiguous, lacks 14:01
7 foundation. 14:01

8 THE WITNESS: Well, to my knowledge, he's 14:01
9 involved in the organization of the Bay Boys and so 14:01
10 I would assume that he's involved in organizing the 14:02
11 harassment and the violence that occurs there that, 14:02
12 you know, also happened to me. 14:02

13 BY MR. HAVEN: 14:02

14 Q What do you base that understanding on, 14:02
15 why do you believe that? 14:02

16 A It's based on, you know, the investigation 14:02
17 of my attorneys and my own personal experiences and 14:02
18 what I've heard about in the surf community and 14:02
19 videos that I've seen. 14:02

20 Q What have you heard about Michael Papayans 14:02
21 in the surf community? 14:02

22 A You know, I've also read articles about 14:02
23 him in the press. 14:02

24 You know, I've just heard that he's really 14:02
25 bad at hassling people and that he's violent. 14:02

1 Q This is what you've heard, but you 14:02
2 personally have never had any encounter with him to 14:02
3 your knowledge? 14:02
4 A I personally haven't had anything like 14:02
5 person to person with him. 14:02

6 Q Okay. One final question, I apologize for 14:02
7 asking this in advance, can you tell us who the 14:02
8 father of your child is, please? 14:03
9 A It's Jordan Wright. 14:03
10 Q Okay. I appreciate that, thank you very 14:03
11 much, I have no further questions. 14:03
12 MR. FRANKLIN: Thank you. Thank you very 14:03
13 much. 14:03
14 THE REPORTER: Off the record? 14:03
15 MR. FRANKLIN: Yes. 14:03
16 MS. HEWITT: Off the record. 14:03
17 THE VIDEOGRAPHER: We are now off the 14:03
18 record. The time is 2:03 p.m. 14:03
19 (A discussion was held off the record.) 14:03
20 THE VIDEOGRAPHER: We are off the record. 14:04
21 It's 2:04 p.m., and this concludes today's testimony 14:04
22 given by Diana Milena Reed, Volume 2. The total 14:04
23 number of media used was two, and will be retained 14:04
24 by Veritext Legal Solutions. 14:04
25 MS. HEWITT: And you can do this off the 14:04

1 video, but I think forgot to just mark what you gave 14:04
2 to us. 14:04

3 Can I just mark it as Exhibit -- whatever 14:04
4 is next in order, that and the flash drive. 14:04

5 (Deposition Exhibit 53, documents and
6 flash drive, was marked for
7 identification.)

8
9 (Whereupon the deposition was concluded at
10 2:04 p.m.)

11
12 (DECLARATION UNDER PENALTY OF PERJURY ON
13 THE FOLLOWING PAGE HEREOF.)

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I, DIANA MILENA REED, do solemnly declare
under penalty of perjury that the foregoing is my
deposition under oath; that these are the questions
asked of me and my answers thereto; that I have read
same and have made the necessary corrections,
additions, or changes to my answers that I deem
necessary.

It witness thereof, I hereby subscribe my
name this day of _____, 2016.

WITNESS SIGNATURE

Certification of Court Reporter

Federal Jurat

I, the undersigned, a Certified Shorthand Reporter of the State of California do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

That before completion of the deposition, a review of the transcript ☒ was ☐ was not requested. I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: November 7, 2016



Jimmy Rodriguez, RPR

Certificate Number 13464